

Court of Appeals, State of Michigan

ORDER

People of MI v Billy Glen Lewis

Docket No. 297078

LC No. 09-002385-FH

Joel P. Hoekstra
Presiding Judge

Richard A. Bandstra

Douglas B. Shapiro
Judges

The motion for immediate consideration is GRANTED.

The Court orders that the motion to remand is DENIED for failure to satisfy the requirements of MCR 7.211(C)(1).

Appellant's brief is due 21 days from the Clerk's certification of this order.

Shapiro, J., would grant the motion to remand for an evidentiary hearing to determine if trial counsel refused to allow defendant from testifying on his own behalf such that defendant received constitutionally-deficient representation. *People v Ginther*, 390 Mich 436; 212 NW2d 922 (1993).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 26 2010
Date

Sandra Schultz Mengel
Chief Clerk